IN RE:

PETITION FOR VARIANCE

N/S Schaadt's Road, 2650' W of

the c/l of Harewood Road (6800-20 Schaadt's Road) 15th Election District 5th Councilmanic District

Jason Development Corporation

Petitioner

* BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 95-93-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 6800-20 Schaadt's Road, located in the vicinity of Harewood Park and Chase in southeastern Baltimore County. The Petition was filed by the owner of the property, Jason Development Corporation, by Larry Macks, Vice President. The Petitioner seeks relief from Section 1A05.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a height of 45 feet in lieu of the maximum permitted 35 feet for the proposed dwellings. The subject property and relief sought are more particularly described on the site plan submitted into evidence and marked as Petitioner's Exhibit 2.

Appearing on behalf of the Petition were Jonathan Mayers for the Jason Development Corporation, property owner, Will Duvall, Professional Engineer, and David M. Meadows, Esquire, attorney for the Petitioner. Appearing as interested parties were Richard Adkins, Mary Spinnichio, and Paul Eurice, nearby residents of the area. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 1.350 acres, more or less, zoned R.C. 20 and was once improved with shore homes which have since been removed. The property is part of the Woods at Bay Country development and is located within the Chesapeake

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ORDER RECEIVEDFOR FILING

Bay Critical Areas on Railroad Creek. The Petitioner intends to market the four lots to the public as building lots and any potential purchaser will be able to construct his own home. Due to the location of this property along Railroad Creek, the first floor of any structure must be built at least 12.2 feet above sea level. As a result, all structures on these particular lots will have to be erected on stilts or pilings, and thus, the requested variance is necessary. Further testimony indicated that the variance will also allow for parking to be provided beneath any dwelling constructed. Therefore, the relief requested will not only allow the first floor of living space to remain 12.2 feet above sea level, but will also reduce the amount of impervious surface on these lots.

Appearing as interested parties in this matter were several residents of the surrounding community. These residents were concerned that any potential purchaser of these lots would construct a dwelling that would be too large and out of character with the other homes in this community. They were concerned that multi-family dwellings or three-story structures might be built. These citizens were assured that no such multi-family or three-story buildings will be constructed on these lots.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the <u>Baltimore County Zoning Regulations</u> (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

ORDER RECEIVED FOR FILING

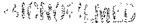
Date

1/3/9/
By

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.



These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of November, 1994 that the Petition for Variance seeking relief from Section 1A05.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a height of 45 feet in lieu of the maximum permitted 35 feet for the proposed structures, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner and/or any potential purchaser of any of the four lots is limited to building a two-story structure.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their

April 19 1

comments dated March 7, 1991, and as amended on September 28, 1994, copies of which have been attached hereto and made a part hereof.

IMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

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TMK:bjs

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Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

November 3, 1994

(410) 887-4386

Mr. Jonathan Mayers
Jason Development Corporation
4750 Owings Mills Boulevard
Owings Mills, Maryland 21117

RE: PETITION FOR VARIANCE

N/S Schaadt's Road, 2650' W of the c/l of Harewood Road

(6800-20 Schaadt's Road)

15th Election District -5th Councilmanic District

Jason Development Corporation - Petitioner

Case No. 95-93-A

Dear Mr. Mayers:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

ery truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: Mr. Larry Macks, Vice President, Jason Development Corp., 4750 Owings Mills Blvd., Owings Mills, Md. 21117

Mr. Will Duvall, 530 E. Joppa Road, Towson, Md. 21286

Mr. Richard Adkins, 6705 South River Drive, Baltimore, Md. 21220

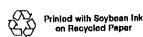
Ms. Mary Spinnichio, 12915 Community Road, Baltimore, Md. 21220

Mr. Paul Eurice, 6707 Harewood Park Drive, Baltimore, Md. 21220

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Mnnapolis, Md. 21401

DEPRM; People's Counsel; Fixe

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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

6800-20 Schaadt's Road

which is presently zoned

RC-20

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

IAO5.4 (B.C.Z.R.) to allow 45 feet maximum height for structures in lieu of the 35 feet maximum height.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To be discussed at Variance Hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County,

Engineer: KANDANAMANAMANAMANAMANAMANAMANAMANAMANAMA	We do solemnly declare and affirm, under the penalties of perjury, that twe are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Jason Development Corporation Larry Macks, Vice President (Type or Print Name)
Towson Maryland 21286	Signature
Attorney for Pelilloner:	Signature
Eo be determined	4750 Owings Mills Blvd. (410)356-9900
(Type or Print Name)	Address Phone No
Signature	Owings Mills Maryland 21117 City State Ziccode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
	Larry Macks
Address Phone No.	Name 4750 Owings Mills Blvd.
City State Zipcode	Owings Mills, MD 21117 (410)356-9900
. Apriles Manufactor age	OFFICE USE ONLY ESTIMATED LENGTH OF HEARING unavailable for Hearing
	the following dates Next Two Months
Tage of the state	ALLOTHER
See the sold of th	REVIEWED BY:DATE

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

ZONING DESCRIPTION

6800-6820 SCHAADTS ROAD

PART OF PLAT FIVE "WOODS AT BAY COUNTRY"

COUNCILMANIC DISTRICT 15TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point North 12 degrees West 2650 feet from the centerline intersection of Harewood Road, variable width right-of-way and Schaadts Road, 50 foot right-of-way, said point being at the beginning of the North 83 degrees 40 minutes 00 seconds East 157.00 foot line of a plat entitled "Plat Five of Woods at Bay Country" and recorded among the Land Records of Baltimore County in Plat Book S.M. 61 Folio 99; thence

- 1) North 83 degrees 40 minutes 00 seconds East 157.00 feet; thence
- 2) South 60 degrees 40 minutes 00 seconds East 226.00 feet; thence
- 3) South 24 degrees 35 minutes 00 seconds East 60.00 feet; thence
- 4) South 32 degrees 55 minutes 00 seconds West 90.00 feet; thence
- 5) South 82 degrees 55 minutes 42 seconds West 112.00 feet; thence
- 6) North 32 degrees 08 minutes 12 seconds West 202.39 feet; thence
- 7) South 79 degrees 48 minutes 25 seconds West 15.00 feet; thence
- 8) South 31 degrees 48 minutes 25 seconds West 67.00 feet; thence
- 9) North 74 degrees 42 minutes 47 seconds West 119.09 feet; thence
- 10) North 04 degrees 10 minutes 43 seconds West 81.00 feet; thence
- 11) North 77 degrees 35 minutes 00 seconds East 62.00 feet to the point of beginning.

CONTAINING 58,807 square feet or 1.350 acres of land, more or less.



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

95-93-A

Tower, Maryland

District 15 M	Date of Posting 9/25/94
Posted for: Variance	•
Petitioner: Jason Develupmon	t long
Petitioner: 5950 y Derelupmon Location of property: 6800-20 Sch	andts Rd.
Location of Signa: Pacing Dad Posted of boginning of Schaa	day, on property being somed
Posted of beginning of School	It's R.I. (A Private road)
Remarks:	
Posted by Mishally	Date of return: 9/30/94
Number of Signs:	Date of return: 9 30/94 MICROFILME



HOTEL OF HARMS

The sor by Skriminest her of Baltimore. Southly by Withority of the Zoning Ab and Requisitions of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Bullding, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118. Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-93-A (Item 93) 6800 · 20 Schaadt's Road Woods At Bay Country N/S Schaadt's Road, 2650' W of c/l Harewood Road 15th Election District 5th Councilmanic

Relitioner(s)

Relitioner(s)

Source

Variance to allow 45 leet maximum height for structures in lieu of the 35 feet maximum

LAWFIENCE E. SCHMIDT Zoning Commissioner for Baltimore County

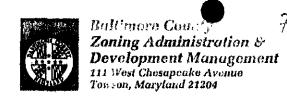
NOTES: (1) Hearings are Handle Ospped Accessible; for special ac-commodations Please Call 887-3353

(2) For information concerning the file and/or Hearing Please Call 887-3391 9/289 Sept. 22

CERTIFICATE OF PUBLICATION

TOWSON, MD.,	122, 1994
THIS IS TO CERTIFY, that the annexed ac	lvertisement was
published in THE JEFFERSONIAN, a weekly new	spaper published
in Towson, Baltimore County, Md., once in each of weeks, the first publication appearing on	of L successive
THE JEFFERS	ONIAN,
1. Hen LEGAL AD 1	ILLESAN





Account: R-001-6150

JABON DEU. CORP. By: LARRY MACKS 6800-20

MICROFILMED

DIAOI#O535MICHRC 8A CQ02:09PM09-07-94 \$285.00

Please Make Checks Payable To: Baltimore County

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

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For newspaper advertisi	ng:				•		
Item No.: <u>93</u>							+
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Location: 47.50	Owings	Mills	Blus.	Owings	Mills	M. 2	111
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Item Number:	93
Planner:	
Date Filed:	

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the agenda by Sophia. The planner that accepted the petition for filing has Zoning Commissioner's review. The planner that accepted the petition for filing has Zoning Commissioner's review of the petition regarding the items noted below. If Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

J	Need an attorneÿ
	The following information is missing: Descriptions, including accurate beginning point Actual address of property Zoning Acreage Plats (need 12, only submitted) 200 scale zoning map with property outlined Election district Councilmanic district BCZR section information and/or wording Hardship/practical difficulty information Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or printed name and/or address Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser Power of attorney or authorization for person signing for legal owner and/or contract purchaser Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number Notary Public's section is incomplete and/or incorrect and/or commission has expired No REVIEW INFO BY COHO WHED, HEARING
	TIME ETC.

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

SEPTEMBER 16, 1994

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-93-A (Item 93)
6800 - 20 Schaadt's Road
"Woods At Bay Country"
N/S Schaadt's Road, 2650' W of c/l Harewood Road
15th Election District - 5th Councilmanic
Petitioner(s): Jason Development Corporation
HEARING: WEDNESDAY, OCTOBER 12, 1994 at 11:00 a.m. in Room 106 County Office Building.

Variance to allow 45 feet maximum height for structures in lieu of the 35 feet maximum height.

Arnold Jablon

Director

cc: Jason Development Corporation

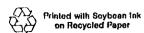
W. Duvall & Associates, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

OCT. O 5 1994

W. Duvall & Associates, Inc. 530 East Joppa Road Towson, Maryland 21286

RE: Item No. 93 Ca se No. 95-93A

Petitioner: Jason

Dear Petitioner:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 08 , 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- The Director of Zoning Administration and Development Management has instituted a system whereby 1) seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the peition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Wery truly yours,

. ... W. Carl Richards, Jr. ...

Zoning Supervisor



MICROFILIVICE

BALTIMORE COUNTY, MARYLAND Interoffice Correspondence

TO: Arnold Jablon, Director DATE: September 26, 1994

Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief Developers Engineering Section

SUBJECT: Zoning Advisory Committee Meeting

for September 28, 1994

Items 90, 91, 93) 94, 95, 97, 98 and 99

The Developers Engineering Section has reviewed the zoning items for the subject meeting and we have no comments.

RWB:sw

SEP. 28 1994

ALL PROPERTY.

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 09/22/94

ZADM

Armold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MO 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Itom No.: SEE BELOW

Zoning Agenda:

Contlemens

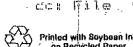
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

S. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Bafety Code", 1991 edition prior to occupancy.

IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 92 (93) AND 96.

REVIEWER: LT. ROBERT F. SOUERWALD Fire Marshal Office, FHONE 687-4681, MS-1108F

MICROFILMEL



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 15, 1994

Zoning Administration and Development Management

FROM:

Pat Keller, Director

Office of Planning and Zoning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 90, (93), 94, 95, 96, 97, 98 and 99.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL: Lw



O. James Lighthizer Secretary Hal Kassoff Administrator

9-14-94

Ms. Julie Winiarski Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Re:

Baltimore County
Item No.: +93 (JCM)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, Bob Small.

David Ramsey, Acting Chief Engineering Access Permits

BS/

My telephone number is _

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

MICHOFILMED

COUNTY, MARYLAND BALTIMORE

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

September 28, 1994

T0:

Mr. Arnold Jablon, Director Zoning Administration and Development Management

FROM:

J. Lawrence Pilson

Development Coordinator, DEPRM

SUBJECT:

Zoning Item #93 - Woods at Bay Country 6800-20 Schaadt's Road

Zoning Advisory Committee Meeting of September 19, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

See attached Chesapeake Bay Critical Area Findings, dated March 7, 1991.

In addition, a note should be added to the site plan stating that the condominium is comprised of 4 single family residences.

JLP:NP:sp

WOODS/DEPRM/TXTSBP

ORDER RECEIVED FØR FILING

SEP. 2 9 1994

COUNTY, MARYLAND BALTIMORE

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

J. Robert Haines

Zonina Commissioner

DATE:

March 7, 1991

FROM:

J. J. Dieter, Director . Department of Environmental Protection

and Resource Management

SUBJECT:

Woods at Bay Country subdivision

by the Jason Development Corporation

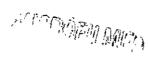
On October 15, 1990 a positive "Findings" was written for the "Woods at Bay Country" subdivision. This was the third addendum to the Chesapeake Bay Critical Area Findings of December 22, 1988.

The applicant proposed to amend a previously approved Critical Area Findings Plan by proposing a condominium development plan of four (4) existing dwellings and a community pier clustered together on parcel A. This area is proposed to be serviced by a private sewer line. The total acreage of parcel A is approximately 90 acres and 87.55 acres are zoned RC-20.

The Chesapeake Bay Critical Area Program encourages the clustering of development as an effective means of achieving a variety of environmental and development objectives. Clustering reduces impervious surfaces over the entire site, and minimizes habitat disturbance and soil erosion by reducing the area cleared and graded, thus preserving the majority of the property in its natural and undisturbed state.

The following is stated in the Baltimore County Code Zoning Regulations, Section 1A05.4, regarding the minimum lot size in an RC 20 zone: "Lot size: To facilitate clustering as the preferred means of subdivision, the minimum lot size shall be required pursuant to County Health and Department of Environmental Protection and Resource Management."

. To meet the requirements of this Department, the Woods at Bay Country Findings Plan for parcel A proposes a condo regime for the four (4) existing dwellings with a public sewer service provided that will also be under a condo regime. Each of the four (4) residences shall have an area of exclusive use reserved around each house. This area is the equivalent of establishing a minimum lot size in accordance with the above regulation.



Memo To J. R. Haines March 7, 1991 Page 2

The revised Woods at Bay Country Findings Plan is in accordance with the Baltimore County Development Regulations in the Chesapeake Bay Critical Area and the approved Findings dated October 15, 1990 (see attached).

If you need additional information, please feel free to call David Flowers at 887-2904.

Dieter Director

Department of Environmental Protection and Resource Management

JJD:DCF:ju attachment

cc: Mrs. Janice B. Outen Mr. George E. Gavrelis Jason Development Corporation RE: PETITION FOR VARIANCE *
6800 - 20 Schaadt's Road, "Woods At
Bay Country," N/S Schaadt's Road, *
2650' W of c/l Harewood Road, 15th
Election Dist., 5th Councilmanic *

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Jason Development Corporation

CASE NO. 95-93-A

Petitioners

· * *

ENTRANCE OF APPEARANCE

Please enter the appearance of Moore, Carney, Ryan and Lattanzi and David M. Meadows on behalf of the Petitioner Jason Development Corporation.

David M. Meadows

Moore, Carney, Ryan and Lattanzi

4111 East Joppa Road

Baltimore, Maryland 21236

(410) 529-4600

Attorney for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ______ day of October, 1994, a copy of the foregoing Entrance of Appearance was mailed postage prepaid, by first-class mail to:

Peter Max Zimmerman
People's Counsel for Baltimore County
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204

David M. Meadows

RE: PETITION FOR VARIANCE 6800 - 20 Schaadt's Road, "Woods At Bay Country", N/S Schaadt's Road, 2650' W of c/l Harewood Road, 15th Election Dist., 5th Councilmanic

Jason Development Corporation
Petitioners

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 95-93-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Larole S. Demilio

Poter Max Emmerman

CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26 Hday of September, 1994, a copy of the foregoing Entry of Appearance was mailed to Larry Macks, Vice-President, Jason Development Corp., 4750 Owings Mills Blvd., Owings Mills, MD 21117, Petitioner.

1 Walter

Poter May Zimmerman
PETER MAX ZIMMERMAN

MOORE, CARNEY, RYAN & LATTANZI

ATTORNEYS AT LAW
4111 E. JOPPA ROAD

BALTIMORE, MARYLAND 21236

(410) 529-4600

FAX (410) 529-6146

ROBERT J. RYAN OF COUNSEL

E. SCOTT MOORE (1926-1992)

ZONING COMMISSIONER

October 5, 1994

Mr. Lawrence E. Schmidt Zoning Commissioner of Baltimore County Suite 113 Courthouse 400 Washington Avenue Towson, Maryland 21204

Re: Petition for Variance

Case No. 95-93-A

Hearing Date: Wednesday, October 12, 1994

Dear Mr. Schmidt:

ROBERT E. CARNEY, JR.

RICHARD E. LATTANZI

RONALD A. DECKER

DAVID M. MEADOWS LISA M. L. EISEMANN

JUDITH L. HARCLERODE

Please enter the appearance of Moore, Carney, Ryan and Lattanzi and David M. Meadows on behalf of the Petitioner in the above-captioned matter.

Sincerely,

David M. Meadows

DMM:gd

Enclosure

cc: Larry Macks

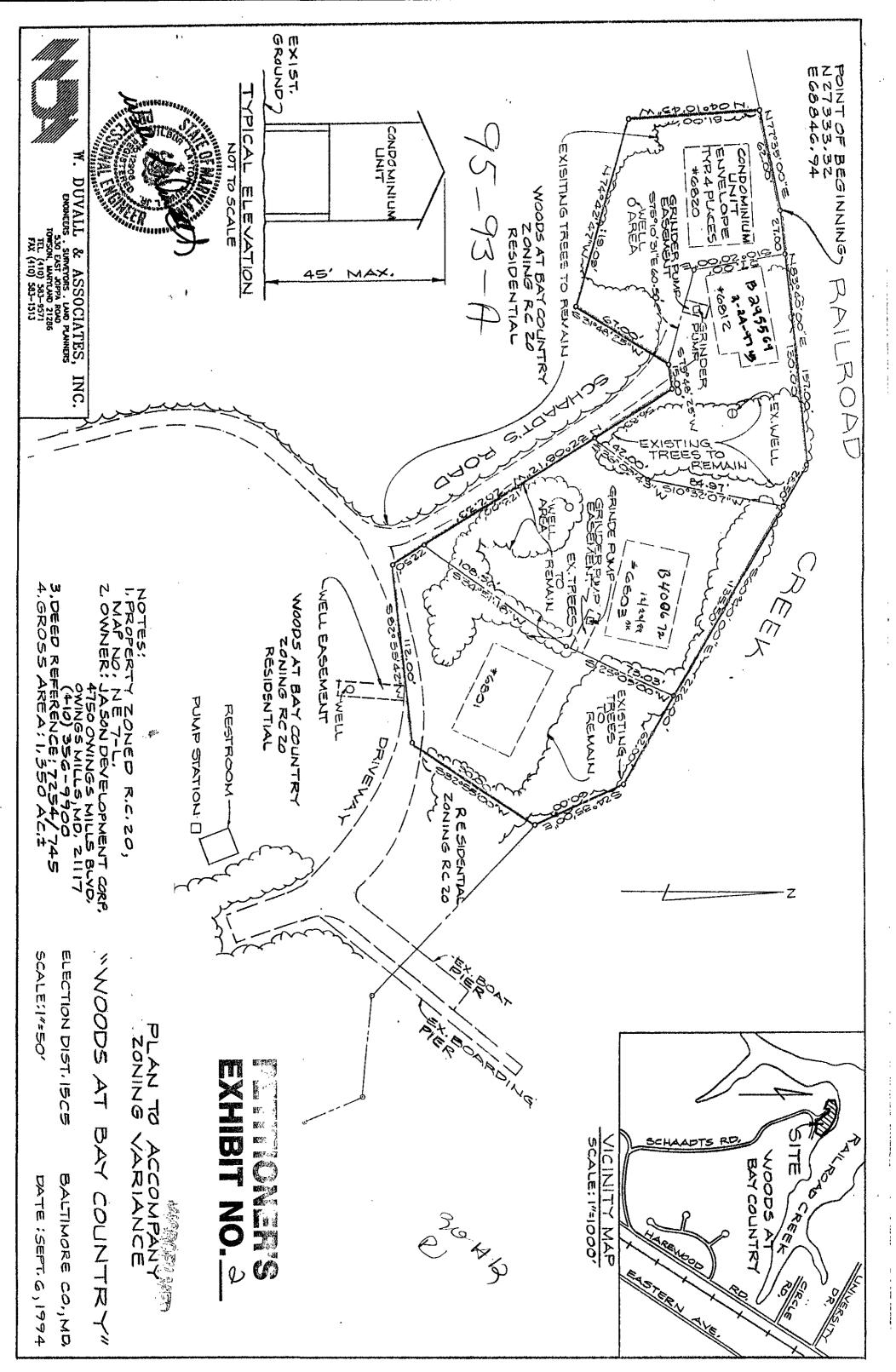
Peter Max Zimmerman

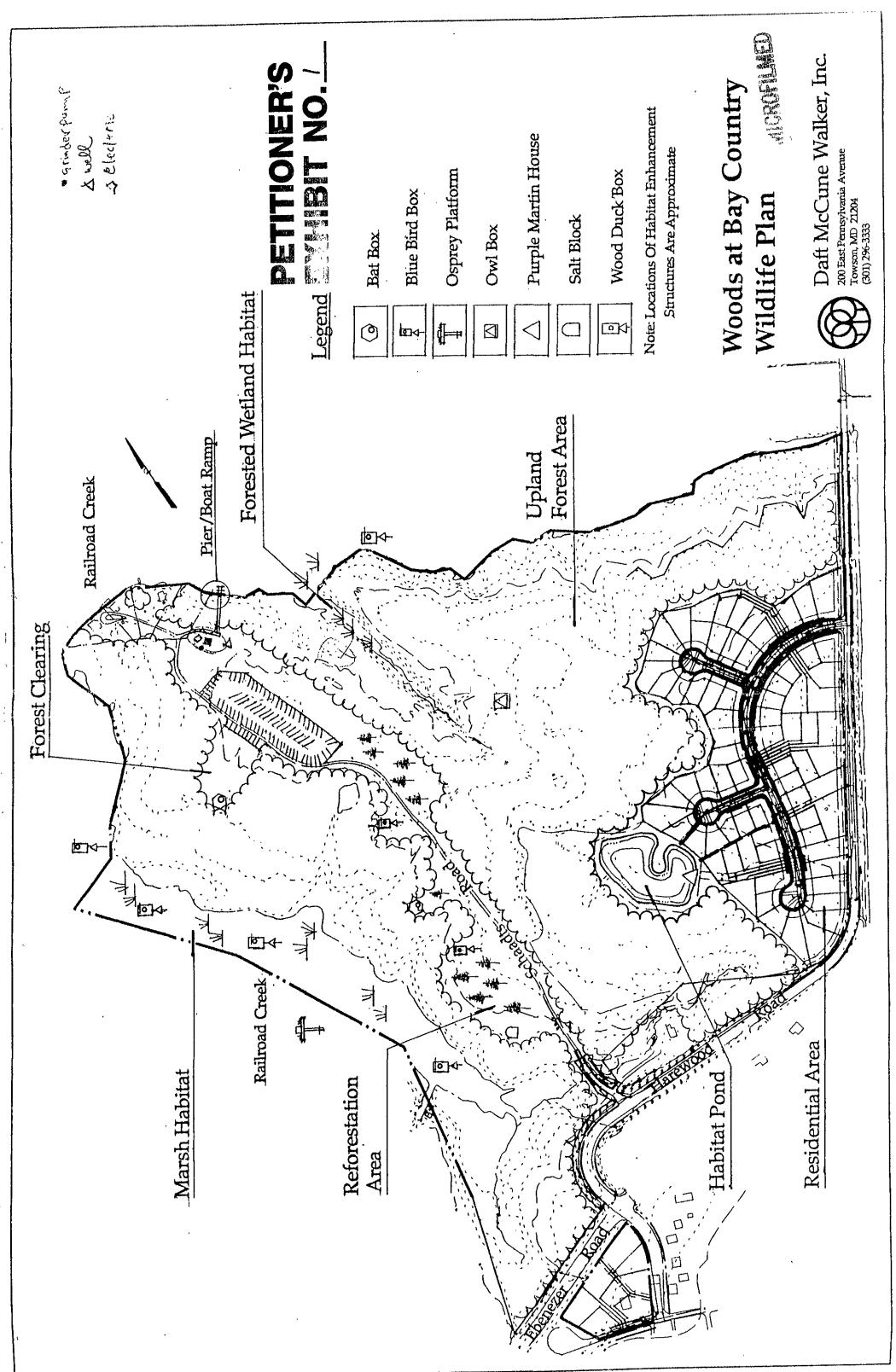
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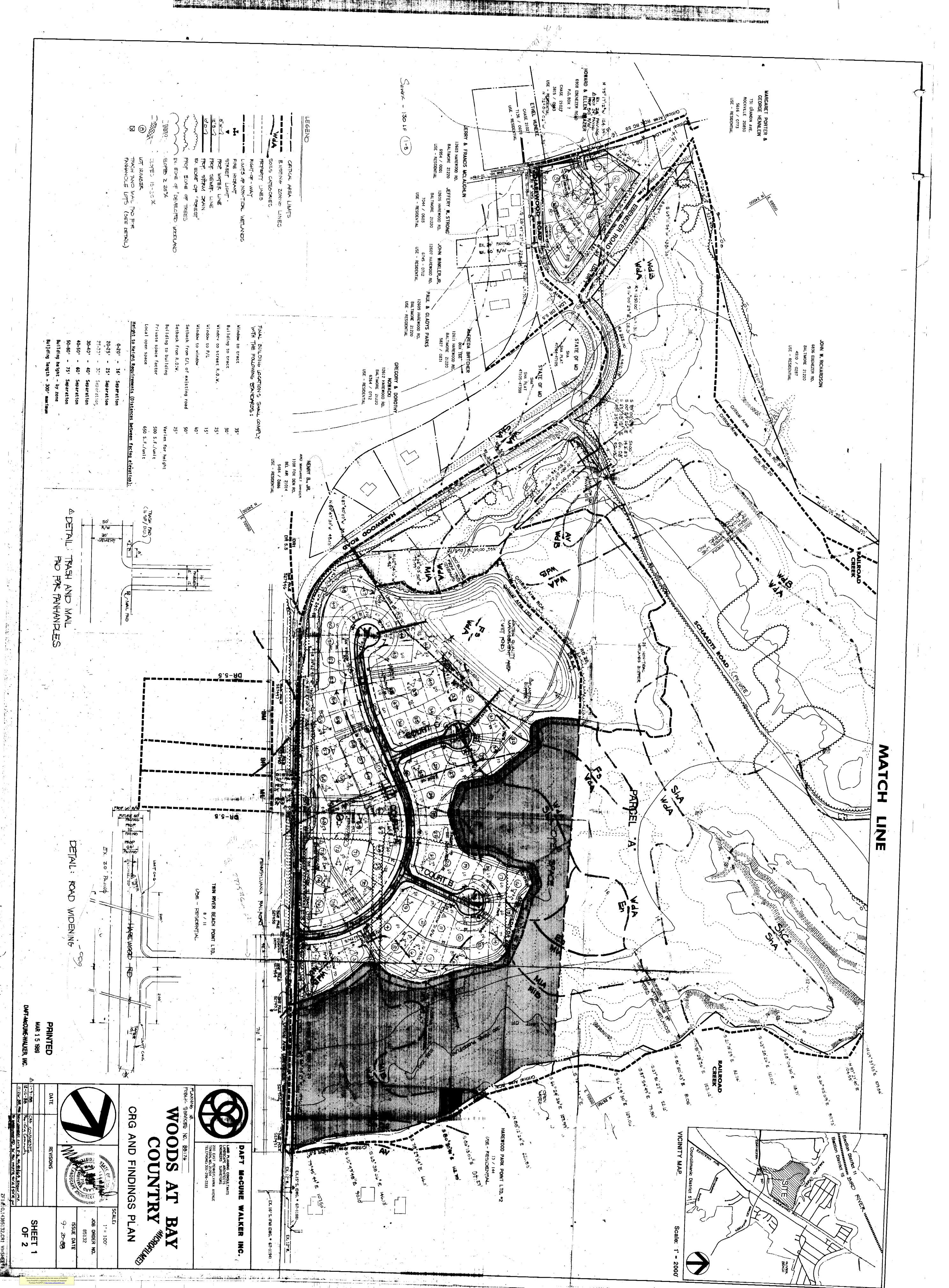
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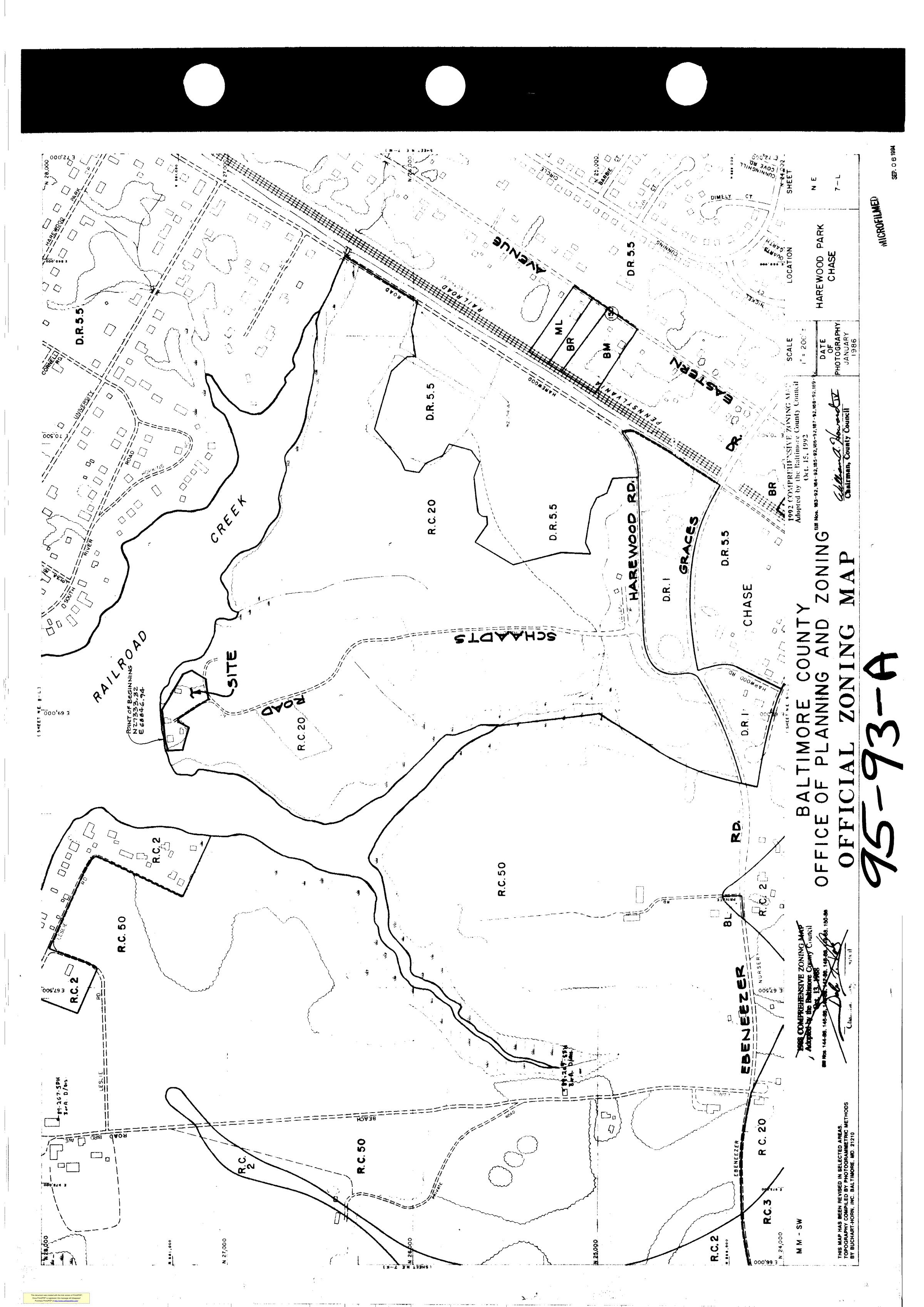
PETITIONER(S) SIGN-IN SHEET

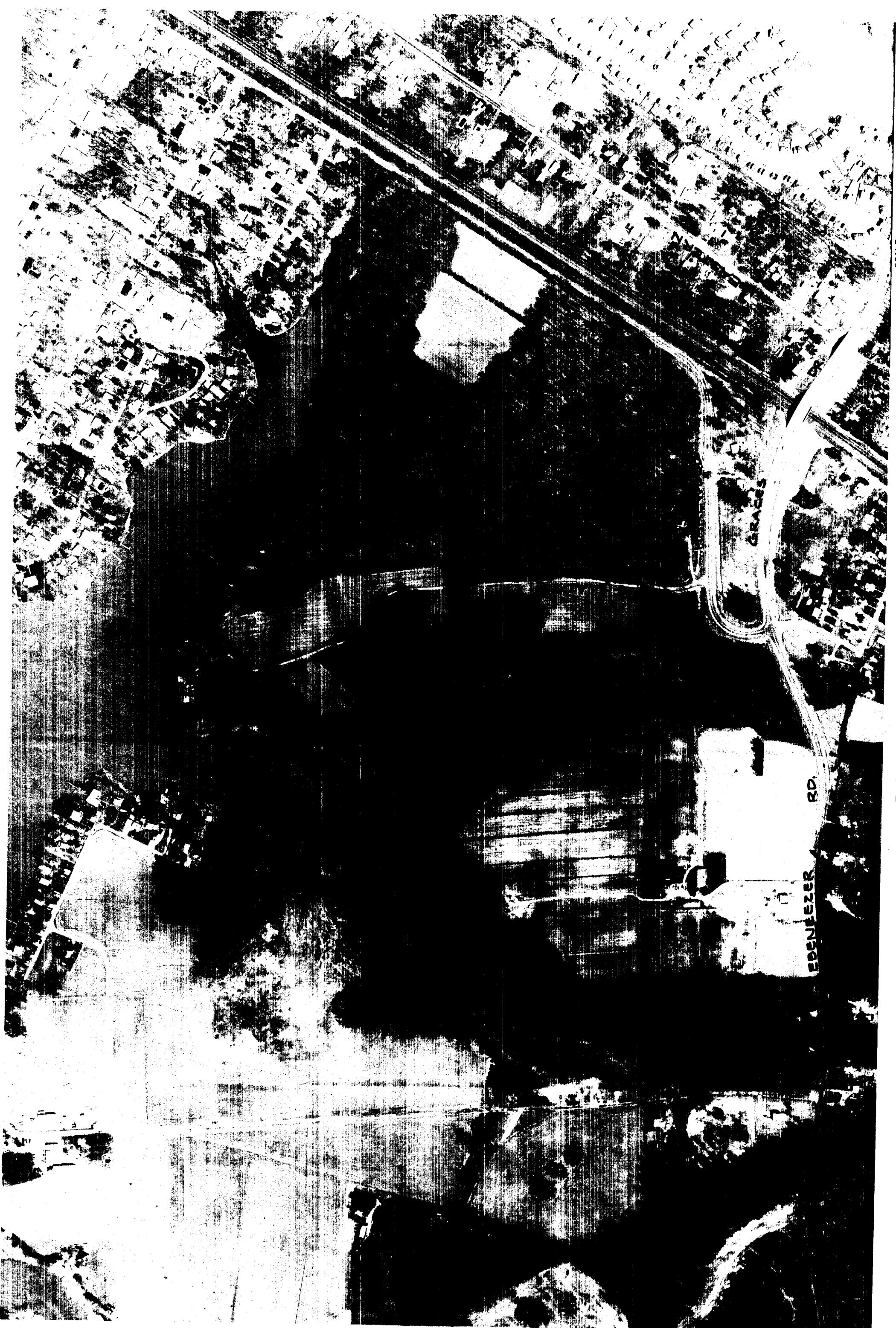
NAME	ADDRESS
Kichard adum	6705 South River DR, EIR
Hickard allens-	6705 South River DR, 2120
Jason Dav. Corp.	Boot not
Go David Meadows, Esq	4111 E Soppi RD. Paytel Nel. 21236
Jonathan Mayers Juson Dev-Corp.	4750 Owings Mills Blud. Owings Mil. 2
Will Duvall W. Davall & Assoc	530 E. Joppa Rd Towson Md 2128
PAUL EURICE	6)07 HAREWOOD PARK DR. 21220
,	
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BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP

> PREPARED BY AIR PHOTOGR MARTINSBURG, W.V. 25401

MICROFILMED

N.E.

CHASE

HAREWOOD

95-93-A

This document was created with the trial version of P
Once Print2PDF is registered, this message will dis
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IN RE: PETITION FOR VARIANCE N/S Schaadt's Road, 2650' W of the c/l of Harewood Road (6800-20 Schaadt's Road) 15th Election District 5th Councilmanic District

Petitioner

Jason Development Corporation

* BEFORE THE

* * * * * * * * * *

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 95-93-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 6800-20 Schaadt's Road, located in the vicinity of Harewood Park and Chase in southeastern Baltimore County. The Petition was filed by the owner of the property, Jason Development Corporation, by Larry Macks, Vice President. The Petitioner seeks relief from Section 1A05.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a height of 45 feet in lieu of the maximum permitted 35 feet for the proposed dwellings. The subject property and relief sought are more particularly described on the site plan submitted into evidence and marked as Petitioner's Exhibit 2.

Appearing on behalf of the Petition were Jonathan Mayers for the Jason Development Corporation, property owner, Will Duvall, Professional Engineer, and David M. Meadows, Esquire, attorney for the Petitioner. Appearing as interested parties were Richard Adkins, Mary Spinnichio, and ,Paul Eurice, nearby residents of the area. There were no Protestants

Testimony and evidence offered revealed that the subject property consists of 1.350 acres, more or less, zoned R.C. 20 and was once improved with shore homes which have since been removed. The property is part of the Woods at Bay Country development and is located within the Chesapeake

Bay Critical Areas on Railroad Creek. The Petitioner intends to market the four lots to the public as building lots and any potential purchaser will be able to construct his own home. Due to the location of this property along Railroad Creek, the first floor of any structure must be built at least 12.2 feet above sea level. As a result, all structures on these particular lots will have to be erected on stilts or pilings, and thus, the requested variance is necessary. Further testimony indicated that the variance will also allow for parking to be provided beneath any dwelling constructed. Therefore, the relief requested will not only allow the first floor of living space to remain 12.2 feet above sea level, but will also reduce the amount of impervious surface on these lots.

Appearing as interested parties in this matter were several residents of the surrounding community. These residents were concerned that any potential purchaser of these lots would construct a dwelling that would be too large and out of character with the other homes in this community. They were concerned that multi-family dwellings or three-story structures might be built. These citizens were assured that no such multi-family or three-story buildings will be constructed on these lots.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

- 2-

conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesa-

- 1) Minimize adverse impacts on water quality that
- for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

The facts and evidence presented tend to establish that special

peake Bay Critical Areas requirements to:

result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

2) Conserve fish, wildlife, and plant habitat; and

3) Be consistent with established land use policies

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3 day of November, 1994 that the Petition for Variance seeking relief from Section 1A05.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a height of 45 feet in lieu of the maximum permitted 35 feet for the proposed structures, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

- 2) The Petitioner and/or any potential purchaser of any of the four lots is limited to building a two-story structure.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.
- IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their

comments dated March 7, 1991, and as amended on September 28, 1994, copies of which have been attached hereto and made a part hereof.

TMK:bjs

Deputy Zoning Commissioner for Baltimore County

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse 400 Washington Avenue

Towson, MD 21204

November 3, 1994

(410) 887-4386

Mr. Jonathan Mayers Jason Development Corporation 4750 Owings Mills Boulevard Owings Mills, Maryland 21117

RE: PETITION FOR VARIANCE N/S Schaadt's Road, 2650' W of the c/l of Harewood Road (6800-20 Schaadt's Road) 15th Election District -5th Councilmanic District Jason Development Corporation - Petitioner Case No. 95-93-A

Dear Mr. Mayers:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

> TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

cc: Mr. Larry Macks, Vice President, Jason Development Corp., 4750 Owings Mills Blvd., Owings Mills, Md. 21117

Mr. Will Duvall, 530 E. Joppa Road, Towson, Md. 21286 Mr. Richard Adkins, 6705 South River Drive, Baltimore, Md. 21220

Ms. Mary Spinnichio, 12915 Community Road, Baltimore, Md. 21220 Mr. Paul Eurice, 6707 Harewood Park Drive, Baltimore, Md. 21220

Chesapeake Bay Critical Areas Commission 45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel; Fixe

500 KM

Petition for Variance to the Zoning Commissioner of Baltimore County

> for the property located at 6800-20 Schaadt's Road which is presently zoned RC-20

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) IAO5.4 (B.C.Z.R.) to allow 45 feet maximum height for structures in lieu of the 35 feet maximum height.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or To be discussed at Variance Hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Engineer:	We do solemnly declare and affirm, under the penalties of perjury, that tiwe are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s):
W. Dinvall & Associates. Inc. (Type or Print Name)	Jason Dèvelopment Corporation Larry Macks, Vice President
530 East Joppa Road	Signature
Address	(Type or Print Name)
Towson Maryland 21286 City State Zipcode	Signature
Attorney for Petilioner:	·
To be determined (Type or Print Name)	4750 Owings Mills Blvd. (410)356-9900 Address Phone No
	Owings Mills Maryland 21117
Signature	City State Ziccode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
	Larry Macks

Name 4750 Owings Mills Blvd.
Owings Mills, MD 21117 (410)356-9900

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners 95-93-F

ZONING DESCRIPTION 6800-6820 SCHAADTS ROAD PART OF PLAT FIVE "WOODS AT BAY COUNTRY" COUNCILMANIC DISTRICT 15TH ELECTION DISTRICT

BEGINNING for the same at a point North 12 degrees West 2650 feet from the centerline intersection of Harewood Road, variable width right-of-way and Schaadts Road. 50 foot right-of-way, said point being at the beginning of the North 83 degrees 40 minutes 00 seconds East 157.00 foot line of a plat entitled "Plat Five of Woods at Bay Country" and recorded among the Land Records of Baltimore County in Plat Book S.M. 61 Folio 99; thence

BALTIMORE COUNTY, MARYLAND

1) North 83 degrees 40 minutes 90 seconds East 157.00 feet; thence 2) South 60 degrees 40 minutes 00 seconds East 226.00 feet; thence 3) South 24 degrees 35 minutes 00 seconds East 60.00 feet; thence 4) South 32 degrees 55 minutes 00 seconds West 90.00 feet; thence 5) South 82 degrees 55 minutes 42 seconds West 112.00 feet; thence 6) North 32 degrees 08 minutes 12 seconds West 202.39 feet; thence 7) South 79 degrees 48 minutes 25 seconds West 15.00 feet; thence 8) South 31 degrees 48 minutes 25 seconds West 67.00 feet; thence 9) North 74 degrees 42 minutes 47 seconds West 119.09 feet; thence 10) North 04 degrees 10 minutes 43 seconds West 81.00 feet; thence 11) North 77 degrees 35 minutes 00 seconds East 62.00 feet to the point of

CONTAINING 58,807 square feet or 1.350 acres of land, more or less.



530 East Joppa Road/Towson, Maryland 21286/(410) 583-9571

- 5-

Printed with Soybean Inion Recycled Paper

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Townen, Maryland

District 15 of Posted for: Variance	Date of Posting 9/93/94
Posted for: Variance	,
tason Verely one	t long
Location of property: 6800-20 Sc	6-14. R1
parties of property. 0000-000 JC	777013 (10:
Academ of brokens	
Cocation of Signe Paring Dad	day on property being romed

NOTICE OF HEARING
The Zoning Commissioner of
Salitatore County, by authority
of the Zoning Act and Regula-
tions of Baltimore County will hold a public hearing on the
property identified herein in
Room 106 of the County Office
Building, 111 W. Chesapeake
Avenue in Towson, Maryland
21204 or Room 118, Old Courthouse, 400 Washington
Avenue, Towson, Maryland
21204 as follows:
Case: #95-93-A
(item 93)
6800 - 20 Schaadt's Road
"Woods At Bay Country"
N/S Schaadt's Road, 2650' W of c/l Harewood Road
15th Election District
5th Councilmanic
Petitioner(s):
Jason Development Cor-
poretion
Hearing: Wednesday, October 12, 1994 at 1
October 12, 1994 at 11:00 a.m. in Para, 106
County Office Building.
Variance to allow 45 feet
maximum height for structures
in lieu of the 35 feet maximum

weeks, the first publication appearing on 9122.1914

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper published

in Towson, Baltimore County, Md., once in each of ____ successive

THE JEFFERSONIAN,

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

SEPTEMBER 16, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-93-A (Item 93) 6800 - 20 Schaadt's Road "Woods At Bay Country" N/S Schaadt's Road, 2650' W of c/l Harewood Road 15th Election District - 5th Councilmanic Petitioner(s): Jason Development Corporation HEARING: WEDNESDAY, OCTOBER 12, 1994 at 11:00 a.m. in Room 106 County Office Building.

Variance to allow 45 feet maximum height for structures in lieu of the 35 feet maximum height.

cc: Jason Development Corporation W. Duvell & Associates, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink on Recycled Paper

Zoning Administration & Development Manugement 111 West Chesapecke Avenue Townsm, Maryland 21201 OlaOi#O535MiCHRC Please Make Checks Payable To: Baltimore County **Baltimore County Government** Office of Zoning Administration and Development Management

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

ill West Chesapeake Avenue

Towson, MD 21204

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

For newspaper advertising:	
Item No.: 93	
Petitioner: JESA JASON DEO. GRAS ATTN. LARA	Marla
Location: 4750 Owings Mills Blue. Owings Mills	Mis. 2117
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: CHAMT	
ADDRESS:	

SEP. 28 1994

Date Filed:

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

J	Need an attorney
	The following information is missing: Descriptions, including accurate beginning point Actual address of property Zoning Acreage Plats (need 12, only submitted) 200 scale zoning map with property outlined Election district Councilmanic district BCZR section information and/or wording Hardship/practical difficulty information Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser Power of attorney or authorization for person signing for legal owner and/or contract purchaser Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number Notary Public's section is incomplete and/or incorrect and/or commission has expired No REVIEW INFO — BY WHO WHED HEARING

PET-FLAG (TXTSOPH) 11/17/93

and Development Management

Baltimore County Government

Office of Zoning Administration

OCT. O 5 1994

(410) 887-3353

W. Duvall & Associates, Inc 530 East Joppa Road Towson, Maryland 21286

Dear Petitioner:

111 West Chesapeake Avenue

Towson MD 21204

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 08 , 1994 and a hearing scheduled

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the peition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

> W. Carl Richards, Jr. Zoning Supervisor

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BALTIMORE COUNTY, MARYLAND Interoffice Correspondence

TO: Arnold Jablon, Director DATE: September 26, 1994 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief Developers Engineering Section

SUBJECT: Zoning Advisory Committee Meeting for September 28, 1994 Items 90, 91, 93, 94, 95, 97, 98 and 99

The Developers Engineering Section has reviewed the zoning items for the subject meeting and we have no comments. RWB:sw

700 East Joppa Road Towson, MD 21286-5500

Office of the Fire Marshal (410)887-4880

DATE: 09/22/94

Armold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MO 21204 FAIL STOP-1105

RE: Property Owner: SEE BELOW LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda:

Contlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the rinal plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 92,93 AND 96.

REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PRONE 887-4881, MS-1108F

cc: File Printed with Soybean Ink on Recycled Paper BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Zoning Administration and Development Management

DATE: September 15, 1994

Pat Keller, Director Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s): Item Nos. 90,(93),94,95,96,97,98 and 99.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

PK/JL:lw

ZAC.90/PZONE/ZAC1

State Highway Administration

O. James Lighthizer Hal Kassoff Administrator

Ms.: Julie Winiarski Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue

Re: Baltimore County

Dear Ms. Winiarski:

Towson, Maryland 21204

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

David Ramsey, Acting Chief Engineering Access Permits

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Memo To J. R. Haines March 7, 1991 Page 2

The revised Woods at Bay Country Findings Plan is in accordance with the Baltimore County Development Regulations in the Chesapeake Bay Critical Area and the approved Findings dated October 15, 1990 (see attached).

If you need additional information, please feel free to call David Flowers at 887-2904.

> Dames Dieter Director Department of Environmental Protection and Resource Management

ეკე:DCF:ju attachment

cc: Mrs. Janice B. Outen Mr. George E. Gavrelis Jason Development Corporation

RE: PETITION FOR VARIANCE 6800 - 20 Schaadt's Road, "Woods At Bay Country," N/S Schaadt's Road, * 2650' W of c/1 Harewood Road, 15th Election Dist., 5th Councilmanic *

BEFORE THE ZONING COMMISSIONER

Jason Development Corporation

Petitioners

OF BALTIMORE COUNTY

CASE NO. 95-93-A * * * * * * * * * *

Please enter the appearance of Moore, Carney, Ryan and Lattanzi and David M. Meadows on behalf of the Petitioner Jason Development Corporation.

ENTRANCE OF APPEARANCE

David M. Meadows Moore, Carney, Ryan and Lattanzi 4111 East Joppa Road Baltimore, Maryland 21236 (410) 529-4600

Attorney for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5 day of October, 1994, a copy of the foregoing Entrance of Appearance was mailed postage prepaid, by first-class mail to:

Peter Max Zimmerman People's Counsel for Baltimore County Room 47, Courthouse 400 Washington Avenue Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

September 28, 1994

Mr. Arnold Jablon, Director Zoning Administration and Development Management

J. Lawrence Pilson Development Coordinator, DEPRM

SUBJECT: Zoning Item #93 - Woods at Bay Country 6800-20 Schaadt 's Road Zoning Advisory Committee Meeting of September 19, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item. See attached Chesapeake Bay Critical Area Findings, dated March 7, 1991. In addition, a note should be added to the site plan stating that the condominium is comprised of 4 single family residences.

JLP:NP:sp

WOODS/DEPRM/TXTSBP

RE: PETITION FOR VARIANCE

6800 - 20 Schaadt's Road, "Woods At

2650' W of c/l Harewood Road, 15th

Election Dist., 5th Councilmanic

Jason Development Corporation

Petitioners

final Order.

Bay Country", N/S Schaadt's Road, *

* * * * * * * * * *

ENTRY OF APPEARANCE

captioned matter. Notice should be sent of any hearing dates or other

proceedings in this matter and of the passage of any preliminary or

CERTIFICATE OF SERVICE

copy of the foregoing Entry of Appearance was mailed to Larry Macks,

Vice-President, Jason Development Corp., 4750 Owings Mills Blvd.,

Owings Mills, MD 21117, Petitioner.

I HEREBY CERTIFY that on this 26 day of September, 1994, a

Please enter the appearance of the People's Counsel in the above-

PETER MAX ZIMMERMAN

Deputy People's Counsel Room 47, Courthouse

400 Washington Avenue Towson, MD 21204 (410) 887-2188

SEP. 2 9 1994

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Peter Max Commenter

Peter May Zinneinan

Carole S. Demilia

CASE NO. 95-93-A

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner

March 7, 1991

FROM: J. J. Dieter, Director Department of Environmental Protection and Resource Management

SUBJECT: Woods at Bay Country subdivision by the Jason Development Corporation

On October 15, 1990 a positive "Findings" was written for the "Woods at Bay Country" subdivision. This was the third addendum to the Chesapeake Bay Critical Area Findings of December 22, 1988.

The applicant proposed to amend a previously approved Critical Area Findings Plan by proposing a condominium development plan of four (4) existing dwellings and a community pier clustered together on parcel A. This area is proposed to be serviced by a private sewer line. The total acreage of parcel A is approximately 90 acres and 87.55 acres are zoned

The Chesapeake Bay Critical Area Program encourages the clustering of development as an effective means of achieving a variety of environmental and development objectives. Clustering reduces impervious surfaces over the entire site, and minimizes habitat disturbance and soil erosion by reducing the area cleared and graded, thus preserving the majority of the property in its natural and undisturbed state.

The following is stated in the Baltimore County Code Zoning Regulations, Section 1A05.4, regarding the minimum lot size in an RC 20 zone: "Lot size: To facilitate clustering as the preferred means of subdivision, the minimum lot size shall be required pursuant to County Health and Department of Environmental Protection and Resource Management."

Country Findings Plan for parcel A proposes a condo regime for the four (4) existing dwellings with a public sewer service provided that will also be under a condo regime. Each of the four (4) residences shall be a condo regime. area of exclusive use reserved around each house. This area is the equivalent of establishing a minimum lot size in accordance with the above regulation.

ROBERT E. CARNEY, JR RICHARD E. LATTANZI JUDITH L. HARCLERODE RONALD A. DECKER DAVID M. MEADOWS LISA M. L. EISEMANN

MOORE, CARNEY, RYAN & LATTANZI ATTORNEYS AT LAW 4111 E. JOPPA ROAD BALTIMORE, MARYLAND 21236 (410) 529-4600 FAX (410) 529-6146

ROBERT J. RYAN OF COUNSEL E. SCOTT MOORE

7 1994

ZONING COMMISSIONER

October 5, 1994

Mr. Lawrence E. Schmidt Zoning Commissioner of Baltimore County Suite 113 Courthouse 400 Washington Avenue Towson, Maryland 21204

Re: Petition for Variance Case No. 95-93-A

Hearing Date: Wednesday, October 12, 1994 Dear Mr. Schmidt:

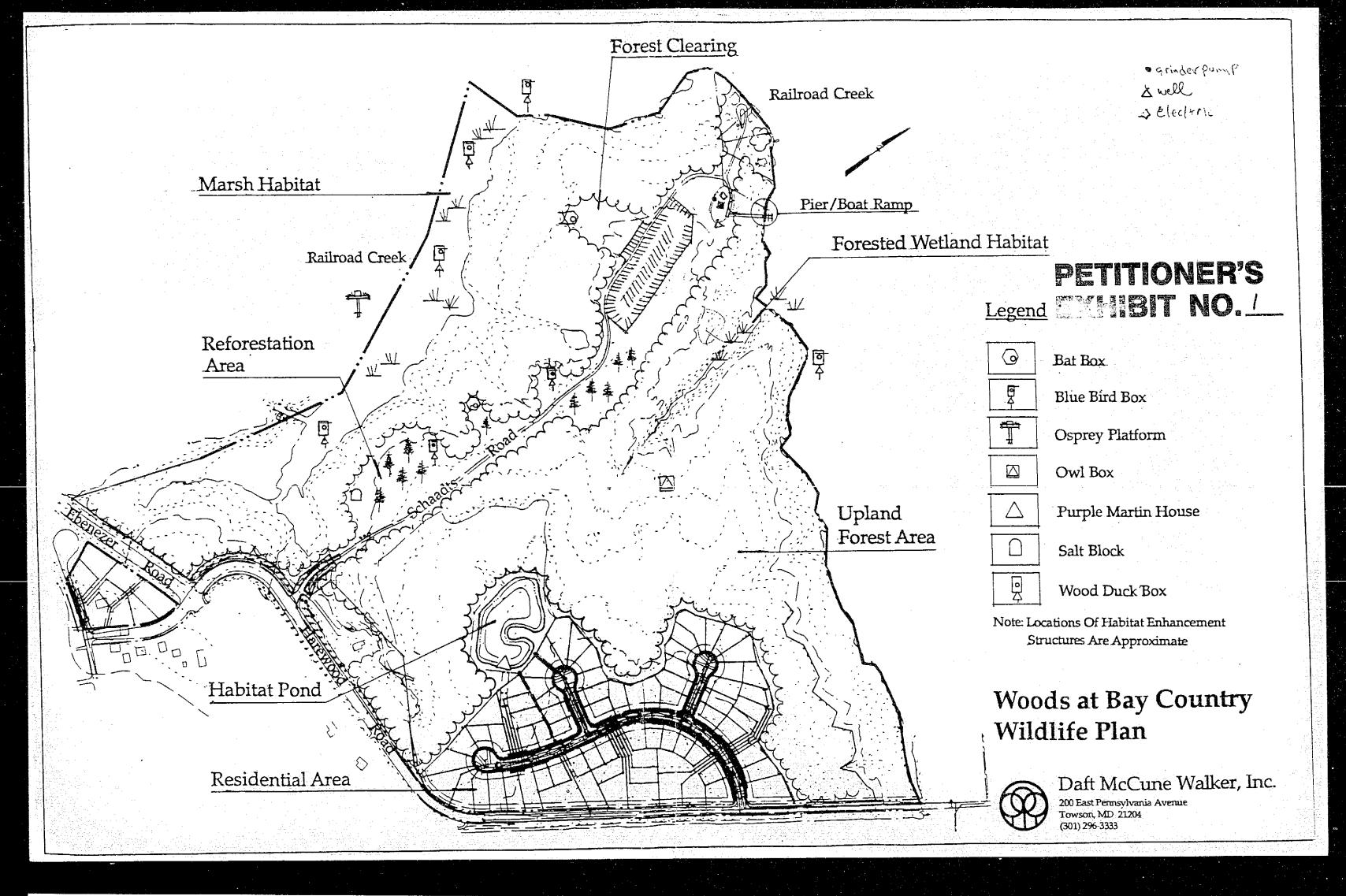
Please enter the appearance of Moore, Carney, Ryan and Lattanzi and David M. Meadows on behalf of the Petitioner in the above-captioned matter.

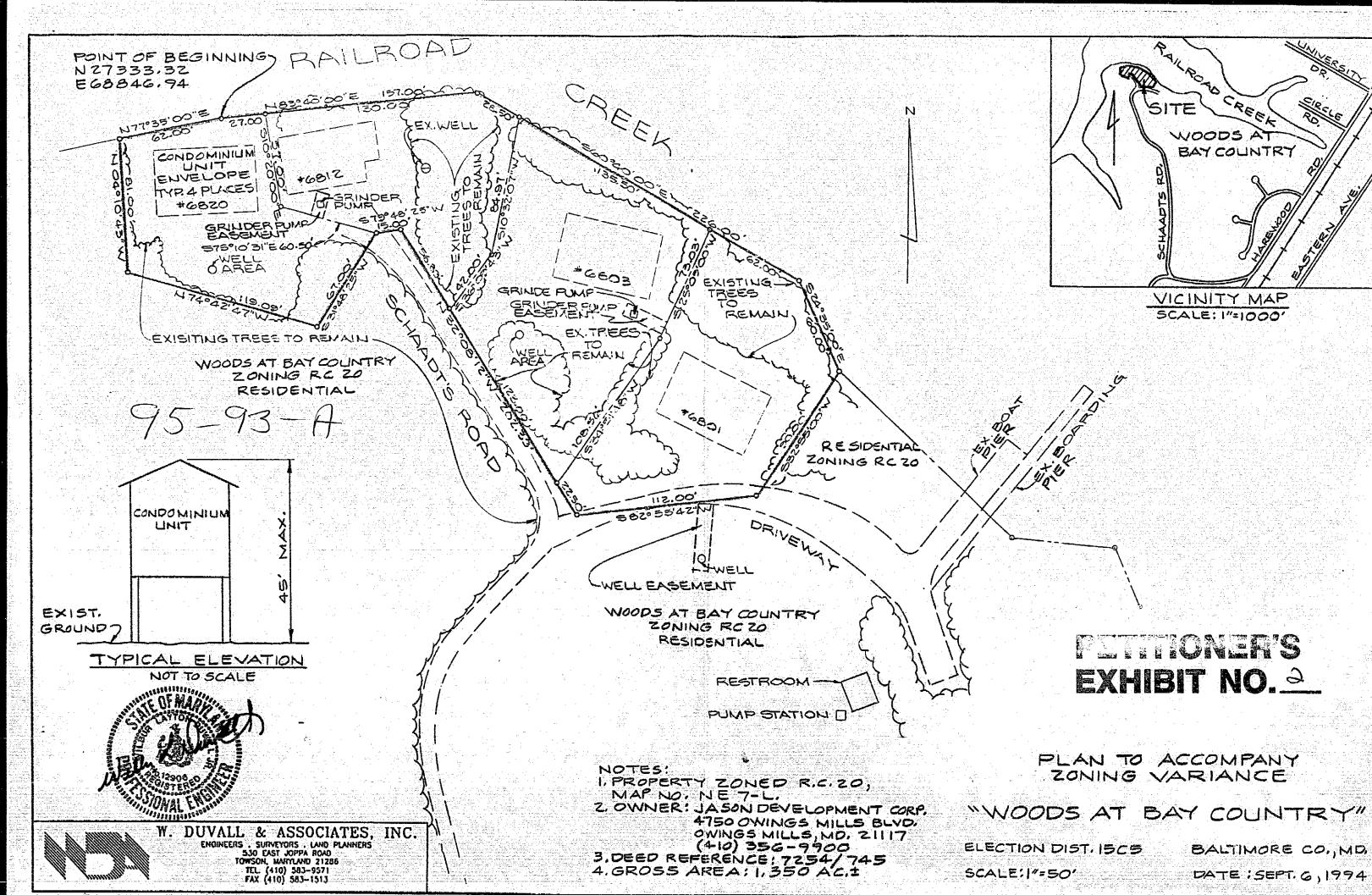
> Sincerely, Supply David M. Meadows

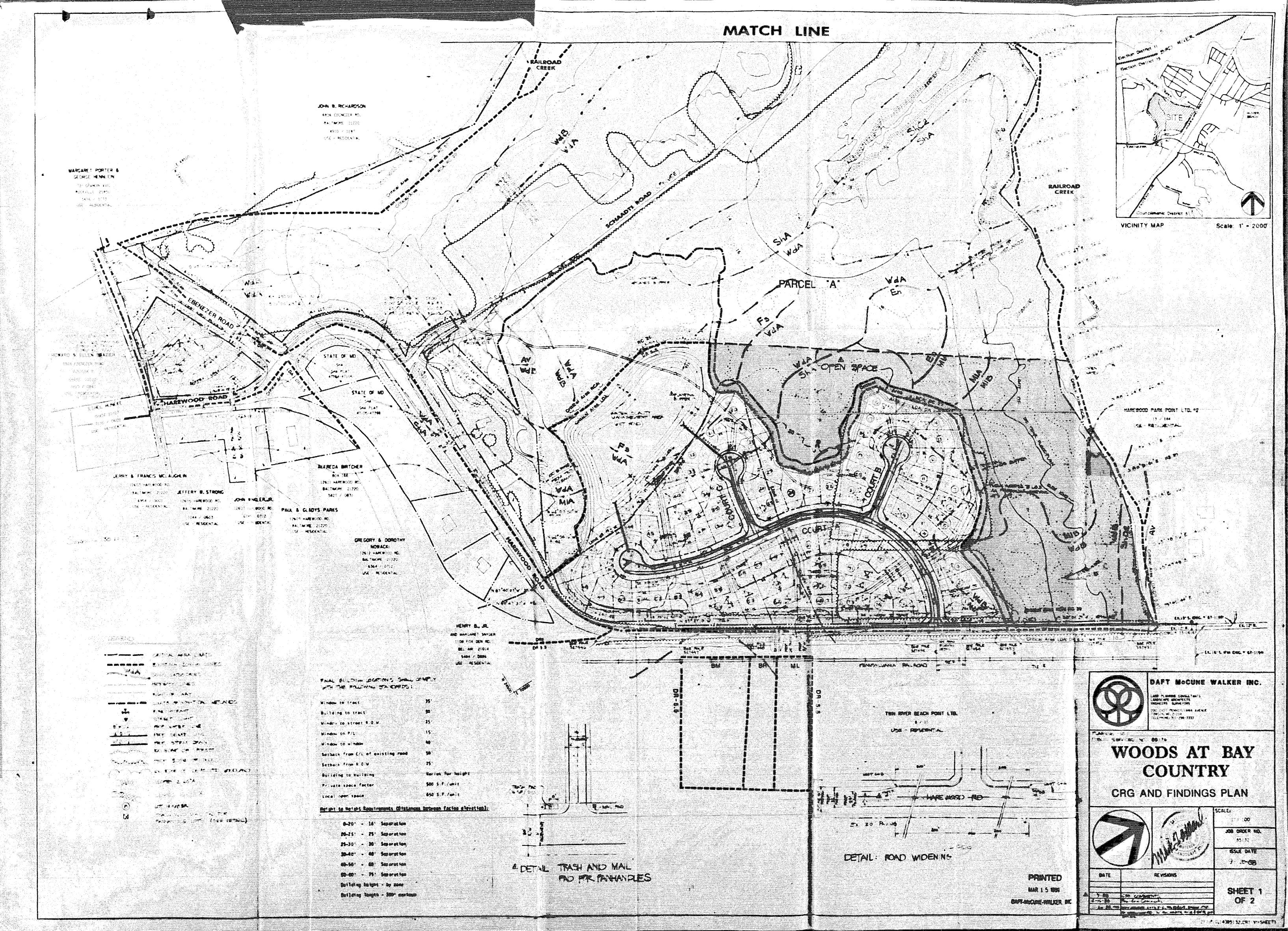
Enclosure cc: Larry Macks

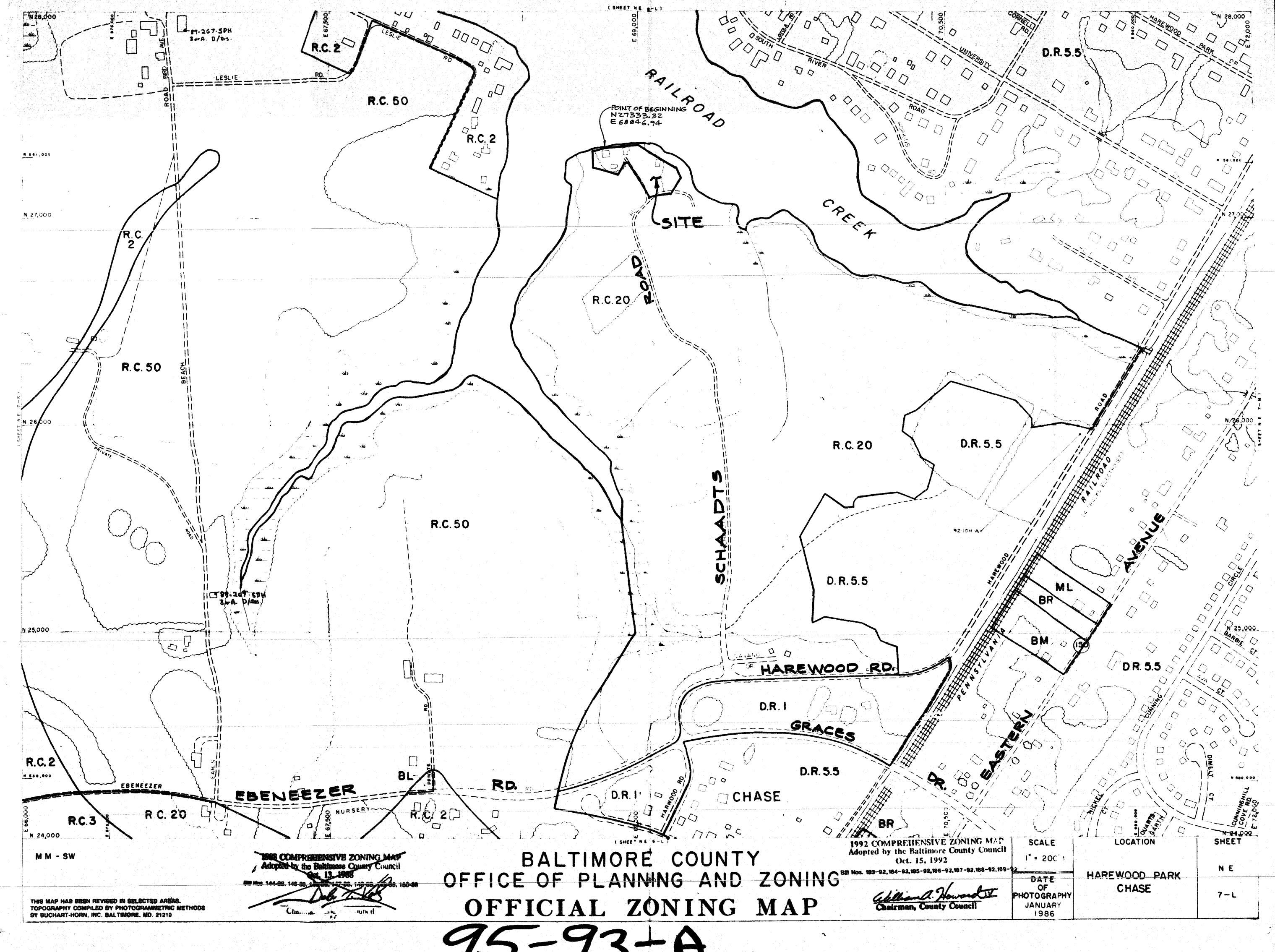
Peter Max Zimmerman

NAME	ADDRESS
GICHARD Ceduro	6705 South River DR, ERZ
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Jason Dav. Corp.	o un P
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Jonathan Mayers Juson Dev-	Corp. 4750 Owings Mills Rlvd. Owings Mills Md. 2111
Will Duvall W. Davall & Associ	oc 530 E. Joppa Rd Towson Md 21724
PAUL FURICE	
F 1.1.11	
ran ingula 10 nga katala 19 ang kalaban Bayaran 19 nga 140 di Bayaran batik di sababat Badakit sa 10 ang katil	. 4. B.J. B.J. S. F. T. T. C. C.

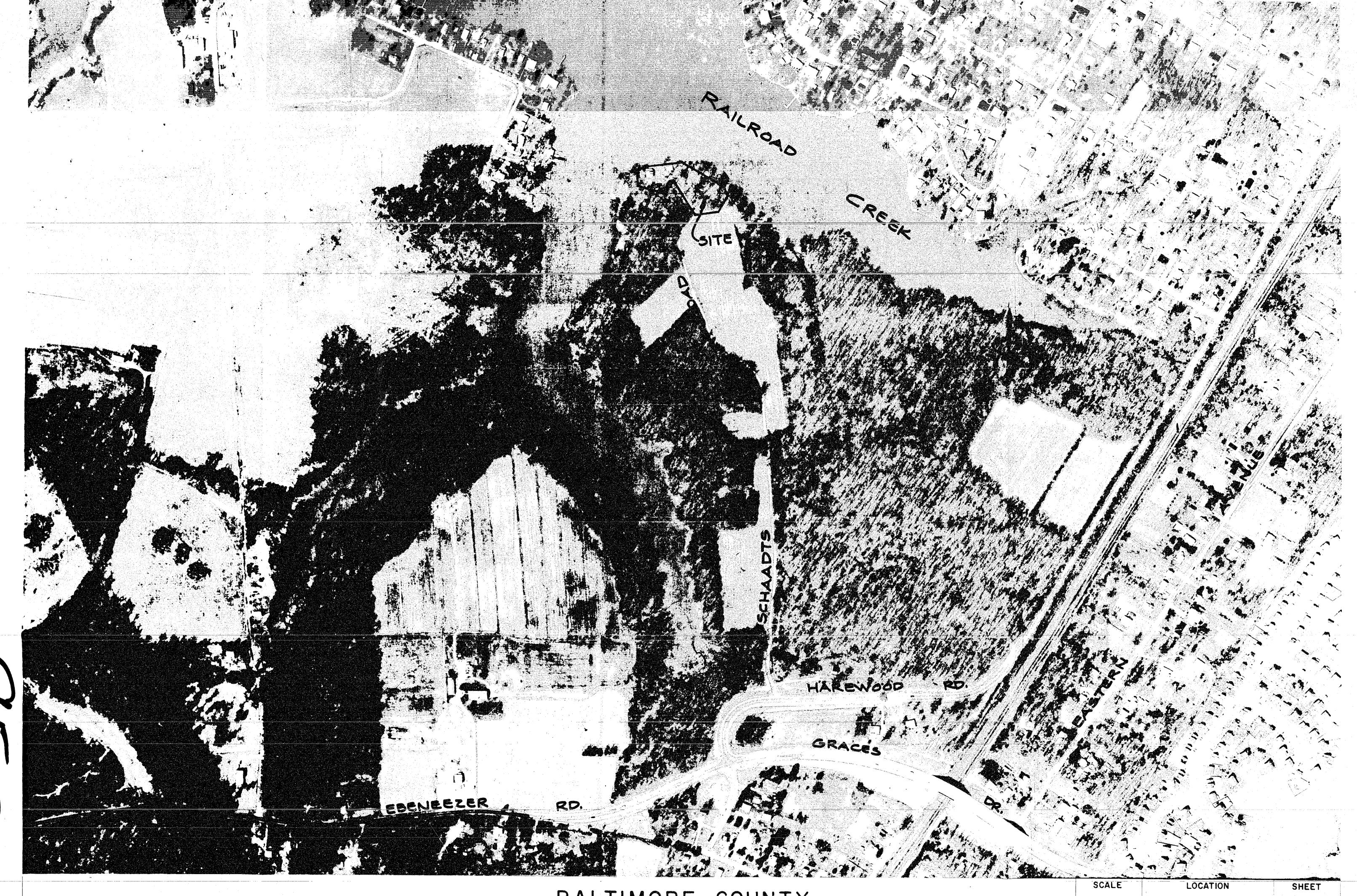








SEP. 0 6 1994



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

I" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
SHEET

CHASE

CHASE

CHASE
7-L